



MERCY HOSPITAL • 2200 JEFFERSON AVENUE • TOLEDO • OHIO • 43624-1181 • 419/259-1500

Writer's Direct Dial: 419•698•7458

September 29, 1993

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Marsha Adams

5HSM-5J

Responsible Party Search Section

United States Environmental Protection Agency

Region 5

77 West Jackson Boulevard

Chicago, Illinois 60604-3590

SUPERFUND PROGRAM
MANAGEMENT BRANCH

RE: Section 104(e) Request for Information

Dear Ms. Adams:

Enclosed please find the response of Mercy Hospital of Toledo, Ohio to your §104(e) Request for Information, with accompanying affidavit. As the responses point out, our former administrator, Sister Phyllis Ann Gerold, and our existing Director of Maintenance and Engineering have no recollection that Mercy Hospital ever used either Stickney Avenue or Tyler Street.

Sincerely,

Ted Kurt

Legal Counsel



STICKNEY AVENUE LANDFILL SITE
AND
TYLER STREET DUMP SITE
TOLEDO, OHIO

INFORMATION REQUESTS

1. Identify all persons consulted in the preparation of the answers to these Information Requests.

Sister Phyllis Ann Gerold, R.S.M., President, CEO, and Administrator of Respondent from the 1960's until 1991; and Richard Napierala, employed since 1973 in Maintenance and Engineering for Respondent, and currently Director of Maintenance and Engineering for Respondent.

2. Identify all documents consulted, examined, or referral to in the preparation of the answers to these Requests and provide copies of all such documents.

No documents exist with respect to the Sites, therefore none were consulted, examined, or referred to.

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.

There are no such persons.

4. List the EPA Identification Numbers of the Respondent.

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5. Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom.

With respect to the Sites, no such acts or omissions occurred.

6. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal, or other handling of material at the Site.

There are no such persons.

7. Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site. In addition, identify the following:

- a) The persons with whom you or such other persons made such arrangements;
- b) Every date on which such arrangements took place;
- c) For each transaction, the nature of the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid) and the process for which the substance was used or the process which generated the substance;
- d) The owner of the waste materials or hazardous substances so accepted or transported;
- e) The quantity of the waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;
- f) All tests, analyses, and analytical results concerning the waste materials;
- g) The person(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;
- h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;
- i) Where the person identified in g), above, intended to have such hazardous substances or waste materials transported and all evidence of this intent;
- j) Whether the waste materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;
- k) What was actually done to the waste materials or hazardous substances once they were brought to the Site;
- l) The final disposition of each of the waste materials or hazardous substances involved in such transactions;
- m) the measures taken by you to determine the actual methods, means, and site of treatment or disposal of the waste materials and hazardous substance involved in each transaction.

- n) the type and number of containers in which the waste material or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers.
- o) The price paid for (i) transport (ii) disposal or (iii) both of each waste material and hazardous substance.
- p) All documents containing information responsive to a - o above or in lieu of identification of all relevant documents, provide copies of all such documents.
- q) All persons with knowledge, information, or documents responsive to a - p above.

It is the recollection of Sister Phyllis Ann and Mr. Napierala that Respondent never arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site.

8. If your waste was not taken to the Stickney Avenue Landfill Site or the Tyler Street Dump Site during the period from 1951 to 1981, where were your wastes taken and how were they disposed?

During the period from 1951 to 1981, Respondent's waste was collected by Respondent's employees from various locations throughout the facility and either incinerated on site, flushed down the drain into city sewers, or placed intact, along with ash generated by incineration, in containers located on hospital property for removal and disposal by independent contractors.

AFFIDAVIT


STATE OF OHIO, COUNTY OF LUCAS, SS:

Ted Kurt, Legal Counsel, Mercy Hospital of Toledo, Ohio, being first duly sworn, deposes and states from his own knowledge and belief, that he is a responsible company official or representative of Mercy Hospital of Toledo, Ohio, an Ohio non-profit corporation and that, with respect to the foregoing Request for Information pursuant to §104(e) of CERCLA, for the Stickney Avenue Landfill Site and the Tyler Street Dump Site, Toledo, Ohio, a diligent interviewing process with the named present and former employees who may have knowledge of the operations, hazardous substance use, storage, treatment, releases, spills, disposal or other handling practices of Mercy Hospital of Toledo, Ohio during the Relevant Period was undertaken and that the responses of Mercy Hospital of Toledo, Ohio to the said Information Requests as set forth above are true and accurate to the best of affiant's knowledge and belief.



Ted Kurt, Legal Counsel
Mercy Hospital of Toledo, Ohio

Sworn to and subscribed in my presence this 29th day of September, 1993.



Notary Public MARY BETH WINES
My term expires Notary Public, State of Ohio
My Commission Expires April 23, 1994